UTILITY PATENT PLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

01-24-00

Docket No: D-2875

Total Pages in this Submission

TO THE ASSISTANT COMMISSIONER FOR PATENTS Box Patent Application

Washington, D.C. 20231

Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 CFR 1.53(b) is a new utility patent application for an invention entitled:

CLOSTRIDIAL TOXIN DERIVATIVES AND METHODS FOR TREATING PAIN

and invented by:

STEPHEN DONOVAN

If a CONTINUATION APPLICATION, check appropriate box an supply the requisite information: []Continuation []Divisional []Continuation-in-part (CIP) of prior application No.:

[]Co	tinuation []Divisional []Continuation-in-part (CIP) of prior application No.:						
Enck	ed are Application Elements : Filing Fee						
[X]	Specification having page(s) and including the following:						
19 <i>1</i> ELJ	[X] Title of the Invention						
	[] Cross References to Related Applications (if applicable)						
	[X] Background of the Invention						
14.j	[X] Brief Summary of the Invention						
	[] Description of the Drawings						
	[X] Detailed Description						
	[X] Claim(s) as Classified Below						
	[X] Abstract of the Disclosure						
	_ Sheets of Drawings(s) (37 CFR 113) [] Formal [] Informal						
[X]	Oath or Declaration [X] Executed [] Unexecuted						
	[] Copy from prior application (37 CFR 1.63(d)) (for continuation/divisional application only)						
[X]	Power of Attorney [X] Executed [] Unexecuted						
	[] Copy from prior application (37 CFR 1.63(d)) (for continuation/divisional application only)						
[]	Incorporation By Reference The entire disclosure of the prior application from which a copy of the oath or						
	declaration is supplied under the above entry, is considered as being part of the disclosure of the accompanying						
	application and is hereby incorporated by reference therein.						
[]	Computer Program in Microfiche (Appendix)						
Acco	panying Application Parts						
[]	Assignment Papers (cover sheets & documents(s))						
	[] The prior application is assigned of record to						
	[] Copy from prior application (37 CFR 1.63(d)) (for continuation/divisional application only)						
[]	37 CFR 3.73(B) Statement (when there is an assignee)						
[]	English Translation Document (if applicable)						



Information Disclosure Statement/PTO-1449 [X]

[X] Copies of IDS Cited Reference(s)

Preliminary Amendment

Acknowledgment postcard [X]

Verified Statement(s) to Establish Small Entity Status Under 37 CFR 1.9 and 1.27 []

[] Copy from prior application (37 CFR 1.63(d)) (for continuation/divisional application only)

Certificate of Mailing by Express Mail [X]

Certified Copy of Priority Document(s) (if foreign priority is claimed) []

Copy of Request for Extension of Time (1 month) in application []

Fee Calculation and Transmittal

* The filing fee is calculated on the basis of the claims existing in the prior application as amended by the accompanying preliminary amendment noted above.

		CLAIMS AS	S FILED		
F	#Filed	#Allowed	#Extra	Rate	Fee
For		- 20 =	45	X \$18.00	\$828.00
Total Claims	66		5	X \$78.00	\$390.00
Independent Claims	8	- 3 =			\$ 0.00
Multiple Dependent Cla	\$690.00				
	\$ 1908.0				
OTHER FEE (specify pu					
(Applicant has small entity status under 37 CFR 1.9 and 1.27) SMALL ENTITY STATUS TOTAL FILING FEE					

- A check in the amount of \$ __ to cover the filing fee and the assignment fee is enclosed.
- [x] The Commissioner is hereby authorized to charge and/or credit Deposit Account Number 01-0885 as described below.
 - Charge the amount of \$1908.00 as filing fee. [x]
 - Credit any overpayment. [x]
 - Charge any additional filing fees required under 37 CFR 1.16 and 1.17. [x]

Respectfully Submitted,

FRANK Attorney for Applicant Reg. No: 25,612

4 VENTURE, SUITE 300 IRVINE, CA 92618 phone: 949-450-1750 949-450-1764

pag 2 of 2

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE PATENT

In the application of:

DONOVAN

Serial No. N/A

Filed: Submitted herewith

For: CLOSTRIDIAL TOXIN DERIVATIVES

Office Submitted Submitt

Express Mail Mailing Label No. EL405194145US

AND METHODS FOR TREATING PAIN)

Date of Deposit: January 19, 2000

I hereby certify that the following documents as identified below are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and are addressed to the Assistant Commissioner of Patents, Washington, D.C. 20231:

- Application Trans. Ltr. + 2 copies, w/ deposit account authorization;
- 2. Application and Declaration;
- 3. Information Disclosure Statement;
- 4. PTO 1449 and cited references; and
- 5. Return postcard.

The above-identified 5 documents are enclosed herewith.

Respectfully submitted,

Janet E. McGhee

Office of Frank J. Uxa

Attorney for Applicant

Reg. No. 25,612

4 Venture, Suite 300

Irvine, CA 92618

(949) 450-1750

Facsimile (949) 450-1764

D-2875

THE ENCLOSED PATENT APPLICATION OF DONOVAN IS BEING FILED IN ACCORDANCE WITH SECTION 37 CFR 1.10 BY EXPRESS MAIL AND SHOULD BE ACCORDED A FILING DATE OF:

January 19, 2000

SEE THE EXPRESS MAIL CERTIFICATE ATTACHED TO THE APPLICATION.